



**State of Tennessee
Department of Commerce and Insurance
Tennessee State Board of Accountancy
500 James Robertson Parkway
Nashville, TN 37243
615-741-2550 or 888-453-6150**

Board Meeting Minutes

January 23, 2009

The meeting of the Tennessee State Board of Accountancy convened in the Andrew Johnson Tower, Nashville, Tennessee on Friday January 23, 2009 at 8:30a.m.

Board Members present were: Vic Alexander, Chairman; Stanley Sawyer, Vice Chairman; William Underwood, Secretary; Jennifer Brundige; Kenneth Cozart; Shannone Raybon; Lisa Stickel and Douglas Warren.

Board Members absent were; William Blaufuss and Alfred Creswell.

Also present were: Mark Crocker, Executive Director; Ed Scudder, staff attorney; Michael Driver, former staff attorney; Daniel Syriac, Sandra Cooper and Don Mills, staff members; Wendy Garvin and Brad Floyd of the TSCPA; and Suzanne U. Jolicoeur, Manager of State Regulation and Legislature with the AICPA.

Chairman Alexander called the meeting to order and made the announcements He informed the Board that Terri Jeter-McAvoy had moved to Texas and resigned her position on the Board. There were no further announcements.

Next on the agenda was consideration of the minutes from the Board Meeting on October 17, 2008. Mr. Underwood moved to accept the minutes as presented. Motion was seconded by Mr. Cozart and passed unanimously.

Chairman Alexander asked Mr. Crocker to give the Executive Director's report. Mr. Crocker informed the Board that the current contract with CPAES (CPA Examination Services) will expire in March. Proper procedures are being followed to ensure that another contract will be signed with a provider before the expiration date so there is no disruption in providing the exam. The new contract will be for a five year period.

Wall Certificates issued to newly licensed CPAs are now being printed by the State Printing office and then sent to a calligrapher to be individualized instead of being printed in the Board office with a laser printer.

NASBA's Executive Directors Conference is scheduled for March 14-18 in Jacksonville, Florida. Mr. Crocker said he has been asked and has agreed to serve on the Executive Directors Committee for NASBA. The Annual Legal Conference is scheduled for the same dates, and a travel authorization has been submitted for Mr. Mills to attend.

Online renewals have gone much better this year than they have in the past. Over 90% of the renewals received were processed online. There were a couple of complaints and we feel those have been resolved.

The following information was available for the third quarter of 2008 in regard to the exam:

83 applicants received initial credit

379 added conditional credit

235 added no new credits

359 failed

131 passed

1,187 total tested

29 candidates took the exam for the first time and passed

After the May 1, 2009 Board Meeting Mr. Crocker will be leaving the country for a three week vacation to Cairo, Egypt.

This concluded Mr. Crocker's report.

Mr. Alexander introduced our new Staff Attorney Ed Scudder, Esq.. Mr. Scudder gave a brief synopsis of his education and work experience. The Board expressed their appreciation to Mr. Michael Driver for his work and wished him well in his new assignment. Mr. Alexander also introduced the Board's new investigator, Mr. Don Mills, CPA. Mr. Mills followed with comments about his work experience and expressed appreciation to the Board for their confidence in hiring him as the investigator. Mr. Crocker introduced Sandra Cooper as the new staff member and discussed Ms. Cooper's background and experience. Ms. Cooper has taken the position vacated by Ms. Flagg.

Mrs. Stickel gave her report from NASBA's Communications Committees. She thanked the board for the opportunity to work with the Communications Committee in an effort to develop and promote innovative and unique communication among state boards of Accountancy and state legislators. Ms. Stickel participated in a committee conference call on 16 December 2008 in which the mission of the Communications Committee was discussed. She made the Board aware that NASBA's website offers a committee section which is a resource for publications and suggestions for media contact so that state boards may not have to create those items, but can utilize ideas generated by other state boards. Ms. Stickel is to attend a committee meeting in Las Vegas on Monday (26 January 2009), and will have a report for the Board at the next meeting.

Mr. Warren presented a summary of information presented at the Southeast Regional CPA Examination Forum that he attended in Atlanta in December (2008) along with Mr. Crocker and Mr. Alexander. His discussion included structure of the Board of Examiners (BOE), which is responsible for oversight and development of the CPA exam, the current initiatives of the BOE, and International Financial Reporting Standards (IFRS). Mr. Warren also noted that the BOE wanted to be more in touch with state boards and that the regional meeting in Atlanta was the initial meeting of this nature. The response from state boards and the BOE was positive, so additional meetings are planned across the country.

The Board recognized Ms. Suzanne U. Jolicouer who joined AICPA in 2007 as Manager of the State Regulatory Outreach. Prior to joining the AICPA, Ms. Jolicouer was the Executive Director

of the Michigan Board of Accountancy. She attends State Board meetings to have a better understanding of issues at hand. Ms Jolicouer's interests include issues such as peer review, the 120/150 debate, and mobility. She reported that 31 states currently have mobility with 3 of those states being quid pro quo states. In other words, they accept a CPA from another state, only if the other state also has mobility. She also mentioned the issues of international delivery of the exam and the introduction of IFRS.

Committee Reports:

Licensing Committee

Mr. Underwood stated the Licensing Committee reviewed one application for TEO (Tennessee Exempt Organization). The organization requested approval of 27 hours of CPE, but the majority of the coursework did not appear to relate to accounting. The committee recommends that 6 hours of the coursework be approved.

One candidate requested a six month extension of time to complete the exam due to health issues. Documentation from the candidate's physician was included with the request. An extension of time for this reason is consistent with what the committee has done in the past, and the committee recommends granting the extension of time.

Mr. Underwood asked Mr. Crocker to address the committee's deliberation on revocation of NASBA's TEO application. Mr. Crocker explained that the application had been made to allow attendees at NASBA meetings dealing with technical issues to earn CPE credit. The current rules allow CPE credit for attendance at meetings of NASBA if NASBA complies with all other requirements. Since NASBA does not keep attendance records, they do not meet the requirements and therefore CPE credit cannot be earned. The recommendation is to revoke the TEO application for NASBA, but to allow CPE credit for professional board staff and board members who attend technical sessions at NASBA meetings.

The committee reported that 90 initial licenses and 22 reciprocal licenses had been issued since the October board meeting.

The committee also reviewed a query regarding mobility. The query was: If a licensee has a Georgia license but lives and practices in Mississippi but does not hold a license in Mississippi,

can the licensee practice in Tennessee? The committee recommends that the staff attorney draft an opinion on the issue.

The committee also reviewed a request from a licensee who received an initial license late in the year and then had to renew on December 31. Mr. Underwood stated that the law is rather specific in this regard and the committee does not recommend granting an exception. A motion was made by Doug Warren and seconded by Stan Sawyer to accept the Licensing Committee report. The report was approved unanimously.

Peer Review Committee

Mr. Crocker presented information from the Peer Review Committee. Mr. Blaufuss was the only committee member available for the meeting, so Mr. Crocker asked that each item be voted on separately. There are six firms asking to be exempt from the Peer Review Program (listed in the Committee Report). Mr. Warren made the motion to accept the request and Mr. Sawyer seconded the request, all approved.

Wendy Garvin with TSCPA reported that Board Staff notified firms that the TNSBA programs would be discontinued. Another notice will be mailed in June and as of today one hundred and sixty firms have not signed up.

There was a discussion of the Peer Review Oversight Committee, and its proposed requirements (see attached committee minutes). The recommendation is for the Board to accept the proposed requirements for PROC members as revised. Mr. Underwood moved to accept the proposed requirements and Mr. Warren seconded. Recommendation passed unanimously.

Mr. Crocker outlined the complaint process that would be followed for firms that were not in compliance with the peer review requirement. Mr. Crocker noted that the primary reason for having a Peer Review Committee was to oversee the Board Peer Review Program. Since that program no longer existed, the committee's role and purpose needed to be considered. The committee delayed that discussion to a later date.

A motion was made to accept this report by Mr. Cozart and seconded by Mr. Sawyer. Approved unanimously.

Mr. Majchrzak, Assistant Commissioner, addressed the Board concerning cost backs and formulas used to assess them. It is his intent to have cost backs assessed consistently between and among boards and commissions. Mr. Alexander requested an itemized list of the 2008 board cost backs and Mr. Majchrzak indicated one would be provided. The formulas to charge cost backs are being changed to reflect a more accurate distribution to each board. One of the major adjustments is to not include a component for the number of board meetings held each year, since some of the entities do not even have boards. This change was favorable to the Board of Accountancy. Mr. Majchrzak also noted the legal portion of the cost backs included a subjective measure regarding the complexity of the work done for the board. This component is under review. He also noted that investigations can be a significant part of the cost backs but that this board had its own investigator and did not use those services as much as the other boards.

Finance and Administration Committee

Mr. Sawyer states that the only item on their agenda was the budget. Mr. Sawyer asked Mr. Crocker to explain the charges on the handout. Mr. Crocker noted that the revenue amount budgeted would be affected by the Mobility Law as licensees who were not required to have a license declined to renew. There is no method by which to accurately predict how many licensees will choose not to renew. Motion was made by Mr. Sawyer, seconded by Mr. Underwood, approved unanimously.

Executive Committee

Mr. Alexander noted that there were 3 items on the committee agenda. The first topic was the composition of the PROC. He noted that the qualifications to serve on the PROC had been changed. There was also discussion regarding whether or not the Peer Review Committee of the Board could serve as the PROC. The recommendation is that current procedures remain in place and the PROC be separate from a board committee.

Professional Privilege Tax was the next item on the agenda. The committee recommends that the staff send a letter instructing that licensees pay the tax. Staff will open a complaint if the tax is not paid and a civil penalty assessed.

The last topic was regarding CPE audits. The committee recommends that a complaint be opened with a minimum civil penalty of \$500.00 for those CPAs who do not respond to the notice. Further disciplinary action is possible. A motion was made by Mr. Warren and seconded by Mr. Sawyer to accept the report of the Executive Committee. Motion passed unanimously.

Probable Cause Committee

Mr. Scudder presented the Legal Report (copy attached). Mr. Warren stated that the committee recommended approval of the report as presented. Mr. Sawyer seconded and the Board unanimously approved.

Mr. Warren noted that the committee had been given some statistical information on complaints. There are 99 open complaints; 44 are in Legal, 47 are in Investigations, 3 cases are in litigation monitor and 5 cases have been opened recently.

Old Business

Independence is the only item to be considered. Mr. Sawyer reported that the committee had not met. Mr. Underwood moved that the topic be deferred. After discussion, Mr. Underwood withdrew his motion. The decision was made to monitor this situation since timing may be critical. Mr. Sawyer was asked to serve as chairman of the committee.

New Business

Brad Floyd, CEO of TSCPA, stated that TSCPA was proposing legislation to allow exam candidates to receive scores on the exam prior to completion of their educational requirement of 150 semester hours. Current law allows a candidate to sit for the exam before completion of 150 hours, but exam scores are not released to the candidate until completion of education. This seems to be somewhat unfair to the candidate because the time frame for completing all sections of the exam before losing conditional credits may begin running and the candidate is unaware that a passing score has been achieved. In addition, the proposed change to section 62-1-106 also allows the Board to extend the 200 day time frame to complete the educational requirement. This change would make Tennessee more consistent with all other jurisdictions in

treatment of exam candidates. Mr. Floyd also addressed the issue of the TSCPA approval CPE sponsors. Mr. Underwood requested that discussion be deferred until the next meeting.

Mr. Warren moved that the Tennessee Board support the nomination of Mr. Michael Dagett, CPA for the position of Vice President of NASBA. The motion was seconded by Mr. Sawyer and passed unanimously.

Attorney Scudder presented a report on regulation of Laws in the State of Tennessee. He reviewed two legal cases. The first concerned a lawsuit filed in 1932 against the Tennessee Accountancy Board. In that case (Campbell vs. McIntyre), Mr. Campbell, who was an accountant, based his suit on the idea that the creation of the Board was in violation of the Tennessee constitution. The court ruled in his favor based on the definition of practicing public accountancy in effect at the time. The second case study was a 1957 case, Davis vs. Allen. Mr. Davis alleged again that the creation of the Board of Accountancy violated his constitutional rights and based his argument on Campbell vs. McIntyre. The Board prevailed in this case because of statute revisions resulting from Campbell vs. McIntyre.

Meeting adjourned.

Approved by: _____

Chairman

Secretary



Licensing Committee

1-23-09
3:00 PM

2nd FL. Conference Room, Andrew Johnson Tower

Type of meeting:

**Licensing
Committee**

Facilitator:

Brenda Demastus

**Attendees: Bill
Underwood (acting
chairman)**

Jennifer Brundige

Mark Crocker

**Wendy Garman-
TSCPA**

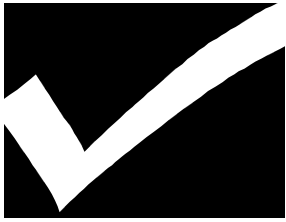
Brad Floyd-TSCPA

Don Mills

----- Agenda Topics -----

- 1) TEO Applications
- 2) Request for Conditional Credit Extension (Shane Cherney)
- 3) Review NASBA Application for Exempt Sponsorship
- 4) Approve New Licensees
- 5) Mobility Question
- 6) Fee Issue for Late Issued License

Other Information



Licensing Committee

1-23-09

3:00 PM

2nd FL. Conference Room, Andrew Johnson Tower

Type of meeting:

Facilitator:

Attendees:

----- Agenda Topics -----

1) TEO Applications: TVPPA

Discussion: Recommend to approve only "Utility Accounting Principles" for six (6) hours of CPE. The remaining courses were more management and non-accounting.

Conclusions: Approval for six (6) hours of CPE for Utility Accounting Principles.

Action items:

Person responsible:

Deadline:

2) Request for Conditional Credit Extension (Shane Cherney)

Discussion: Candidate has not been able to complete the examination due to side effects of medication prescribed for on-going medical condition.

Conclusions: Recommend a six (6) month extension of the conditional credit earned.

Action items:

Person responsible:

Deadline:

3) Review NASBA Application for Exempt Sponsorship

Discussion: Motion to revoke the TEO (Tennessee Exempt Organization) for NASBA, permitting CPE for attendance at NASBA meetings for the director, board members and board staff.

Conclusions: After discussion, motion passed.

Action items:

Present to Board.

Person responsible:

Deadline:

4) Approve New Licensees

Discussion: Initial licenses=90, Reciprocal licenses=22 total licensed since the October 2008 Board=112.

Conclusions:

Action items:

Person responsible:

Deadline:

5) Mobility Question: If a licensee has a Georgia license and lives in Mississippi but does not have a Mississippi license and practices there can he practice in Tennessee under the Mobility Law?

Discussion: Committee members suggested getting opinion from staff attorney.

Conclusions: Tabled pending opinion from attorney.

Action items:

Tabled.

Person responsible:

Deadline:

6) Fee Issue for Late Issued License

Discussion: An initial license was issued during the first week of October. The license issued was an even number, so the licensee received a notice to renew by 12/31/08. The licensee requested a waiver of the renewal fee due to the short period of the time the license was held.

Conclusions: The Board consistently follows a 60-day cut-off for renewal of licenses. A license may be renewed on November 1 for that renewal period and therefore any license issued before that date is subject to renewal. The request was denied.

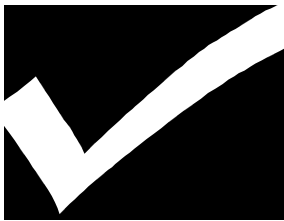
Action items:

Present to Board.

Person responsible:

Deadline:

Other Information



Peer Review Meeting

1/22/2009

2:00 PM

2nd floor Conference Room

Type of meeting:

Peer Review

Facilitator:

Bill Blaufuss

Note taker:

Gail York

Attendees:

**Mark Crocker,
Donald Mills**

Wendy Garvin

Brad Floyd

Please read:

----- Agenda Topics -----

Firms Requesting Exemption from Peer Review

Report from Wendy Garvin on Peer Review

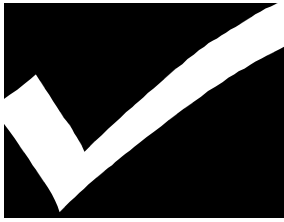
Transfer

Peer Review Oversight Committee Contract

Complaint Process for Firms Not in Compliance
with Peer Review Requirement

Discussion on Purpose and Activities of the Peer
Review Committee

Other Information



Peer Review Meeting

1/22/2009

2:00 PM

2nd floor Conference Room

Type of meeting:

Facilitator:

Note taker:

Attendees:

Please read:

----- Agenda Topics -----

Firms Requesting Exemption from Peer Review

Discussion:

| |
|--|
| Firm 3183 Christine Johnson, CPA; firm 3572 Christie C. Thompson, CPA; firm 2978 Gerald Lee Clemmons, |
| CPA, EA; firm 3565 Joe Jamison; CPA; firm 3453 Sherrie Smith Frazier, CPA, are all asking to be exempt from Peer |
| Review because no attest services have been performed. |

Conclusions: Exemption should be approved for each firm.

Action items: Accepted.

Present to the Board.

Person responsible:

Deadline:

Report from Wendy Garvin on Peer Review Transfer

Discussion: Wendy Garvin reviewed her report. 166 firms had not enrolled in the peer review program. The TSCPA requested the Board send a second notification.

Conclusion: Board staff is to send the second set of letters out in June reminding firms that the Board does not offer a peer review program. Firm permits are not to be renewed if the firm is not enrolled in a peer review program by 12/31/09.

Action items: Accepted

Person responsible:

Deadline:

Present to the Board.

Peer Review Oversight Committee Contract

Discussion: Review of present contract and recommendations for the new contract in order to have candidates apply for the positions on the Peer Review Oversight Committee. The pool of applicants is very small because of the stringent requirements.

Conclusions: All agreed a new contract should be put in force with the new requirements as proposed by Mr. Crocker.

Action items: Accepted

Person responsible:

Deadline:

Present to the Board.

Complaint Process for Firms Not in Compliance with Peer Review Requirement

Discussion: TSCPA will inform Board staff when a firm is no longer enrolled in AICPA or TSCPA peer review program. The Board will make inquiries of the firm to determine the reason they are not enrolled in a peer review program. If enrollment is required, then the firm will have 30 days to enroll. Non-compliance after 30 days will result in a complaint.

Conclusions: The above process will be followed with TSCPA supplying the Board with an updated list each month of enrolled firms.

Action items: Accepted

Person responsible:

Deadline:

Present to the Board.

Discussion on Purpose and Activities of the Peer Review Committee

Discussion: What should be the role and purpose of the Peer Review Committee?

Conclusions: Table with more discussion at a later date.

Action items:

Person responsible:

Deadline:

Tabled

Bill Blaufuss

Other Information



**STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE**

OFFICE OF LEGAL COUNSEL
Davy Crockett Tower
500 James Robertson Parkway
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(615) 741-3072 fax (615) 532-4750

MEMORANDUM

TO: TENNESSEE BOARD OF ACCOUNTANCY

FROM: C. EDWARD SCUDDER, JR. Assistant General Counsel

SUBJECT: JANUARY LEGAL REPORT

DATE: January 23, 2009

Civil Penalties Authorized: 6
Amount of Civil Penalties: \$14,000.00
Letters of Warning: 2
Letters of Instruction: 2
Consent Orders for Surrender or Revocation: 0
Informal Conferences Authorized: 0
Closed: 5
Dismiss: 1
Defer: 0
Discuss: 0
Other: 0

1. L05-ACC-RBS-2005 01 7781

The Complaint alleges that this individual has engaged in accounting work; represented himself as a licensed CPA; and attested to documents as a CPA without a license in Tennessee. At one point, he did hold a CPA license in the District of Columbia, but its current status is unclear. The Respondent apparently was sentenced to eighteen months in federal prison in 1990 after pleading guilty to aiding in the preparation of a false tax return. Numerous attempts have been made by staff to meet with Respondent for an informal conference.

Recommendation: Authorization for a Formal Hearing seeking a civil penalty of \$10 thousand dollars.

2. L07-ACC-RBS-2007058711

Complaint alleged that Respondent, a CPA firm licensed in Tennessee, failed to timely attain a peer review. Initial correspondence was not answered by the Respondent. Upon investigation, it was determined that a peer review was timely obtained, but proper notification of said peer review was not sent to the Board.

Recommendation: Letter of Instruction regarding timely notifying the Board of receiving a peer review and responding to Board communication.

3. L07-ACC-RBS-2007065581

Complaint alleges that Respondent used the CPA title in a newspaper article. The reporter that wrote the article stated that the Respondent had informed the reporter twice that Respondent was not a CPA, but that the reporter had failed to run a retraction. The reporter stated, corroborating the Respondent, that Respondent never used the CPA title.

Recommendation: Close.

4. LO8-ACC-RBS-2008 01 3521

The complaint alleges that this individual represented himself as a CPA and licensed attorney. His CPA license was administratively closed on 12/31/1993. His law license was transferred to inactive status on 12/31/07 due to disability. The respondent states that he attached the "CPA" designation on his check for services so that court approval would be necessary for payment. (The client was in bankruptcy). Then Respondent states that he may seek to renew his CPA license

Recommendation: Authorization for a Formal Hearing for a civil penalty of not less than \$2,500.00 and an additional one hour, state-specific ethics CPE (in addition to the 80 hour requirement for renewal)

5. L08-ACC-RBS-2008 01 4411

The complaint alleges that the Respondent CPA pleaded guilty to filing false tax returns. He received nine months of incarceration; three years of supervised release; and an order to pay \$ 157, 263 in restitution.

Recommendation: Authorization for Formal Hearing with authority to settle by Consent Order for Revocation.

6. L08-ACC-RBS-2008021651

Complaint alleges that Respondent failed to renew a CPA license and did not respond to the CPE audit. Respondent surrendered the wall certificate and gave a notarized statement of surrender.

Recommendation: Close.

7. L08-ACC-RBS-2008 02 1661

The complaint alleges that the Respondent CPA failed to provide evidence of compliance with Continuing Professional Education requirements. Respondent indicated that she had relocated to Washington, DC. She surrendered her wall certificate and closed her license in Tennessee.

Recommendation: Close

8. L08-ACC-RBS-2008 02 3031

The complaint alleges that the Respondent CPA failed to provide evidence of compliance with Continuing Professional Education requirements and then failed to respond to two letters and a telephone call from Board staff. Respondent stated that he had not responded due to a busy travel schedule and that the evidence of his CPE compliance had been stored on a computer drive that had crashed. CPE compliance was subsequently verified.

Recommendation: Formal Hearing with authority to settle by consent order with a civil penalty of not less than \$500.00 for failure to respond in a timely manner.

9. L08-ACC-RBS-2008 02 3101

The complaint alleges that the Respondent CPA failed to provide evidence of compliance with Continuing Professional Education requirements and then failed to respond to two letters and a telephone call from Board staff. Respondent stated that he had relocated to Alabama and had failed to notify Board staff. He subsequently paid his renewal fee and changed his status to inactive.

Recommendation: Formal Hearing with authority to settle by consent order with a civil penalty of not less than \$500.00 for failure to respond in a timely manner.

10. L08-ACC-RBS-2008 02 3231

The complaint alleges that the Respondent used the terms “accounting” and/or “accountant” on their Internet website and in the business name filed with the Secretary of State. Respondent is not a CPA and does not have a firm permit. Respondent has signed a Cease and Desist letter, but states that it may take several weeks to get all listings changed.

Recommendation: Close with Cease and Desist letter

11. L08-ACC-RBS-2008 02 3271

The complaint alleges that the Respondent CPA failed to provide evidence of compliance with Continuing Professional Education requirements. Respondent stated that she has relocated to California and admitted that she did not have the requisite number of CPE hours. She went on inactive status in May 2008.

Recommendation: Close.

12. L08-ACC-RBS-2008 02 3331

The complaint alleges that the Respondent CPA failed to provide evidence of compliance with Continuing Professional Education requirements. Respondent states that she has changed addresses and is not receiving all her mail. She also states that she no longer works in public accounting and has not done so for years. She requested that her license be changed to inactive status. Although the necessary forms have been sent to her, this has not been accomplished at this writing.

Recommendation: Formal Hearing with authority to settle by consent order with a civil penalty of not less than \$500.00 for failure to comply with CPE audit.

13. L08-ACC-RBS-2008 02 3471

The complaint alleges that the Respondent CPA failed to provide evidence of compliance with Continuing Professional Education requirements. Respondent states that her employer firm split and all her CPE documentation was maintained by the support staff of her former employers. Respondent’s office is located in Hammond, Louisiana. Hurricane Gustav struck that area, closing the office for a month or more. Respondent has now satisfied the CPE requirements.

Recommendation: Close with Letter of Instruction

14. L08-ACC-RBS-2008 02 3571

The complaint alleges that the Respondent CPA failed to provide evidence of compliance with Continuing Professional Education requirements. Respondent notes that he changed his license to inactive status on May 19, 2008. He states that he was advised by Board staff that he did not have to keep up his CPE credits when he was in inactive status.

Recommendation: Close

15. L08-ACC-RBS-2008 02 5901

The complaint alleges that the Respondent used the term “accounting” in advertising, but had no firm permit. Respondent signed a Cease and Desist letter on December 7, 2008.

Recommendation: Close with Cease and Desist letter

16. L09-ACC-RBS-2008 02 7491

The complaint alleges that the Respondent CPA is operating an unlicensed CPA firm from his home. The complaint was filed by the Respondent’s former employer. Application for firm was received by Board on 01/07/2009, which is within the 30-day time limit proscribed by statute.

Recommendation: Dismiss

Peer Review Oversight Committee

Current Requirements

1. Must have an active CPA license
2. Equity owner of a firm that received an unmodified report on its most recent on-site peer review
3. Currently active in public accounting at a supervisory level in the auditing function of a firm enrolled in an approved peer review program
4. Must be presently involved and have at least five (5) years of the last ten (10) years of experience in the auditing practice of a firm supervising one (1) or more of the firm's auditing engagements or carrying out a quality control function on the firm's auditing engagements
5. Knowledge of applicable professional standards
6. Fully qualified peer review team captain
7. Must have completed a review training course within the last three (3) years
8. Minimum of ten (10) years of accounting and audit experience
9. Performance as a team captain on peer reviews for at least five (5) years
10. Performance as a team captain on a minimum of five (5) system reviews over the last five (5) years
11. Service as a member of a report acceptance body for at least one (1) year
12. Knowledge and expertise with more than one (1) review program
13. No sanctions by a regulatory, monitoring or enforcement body

Proposed Requirements

1. Active CPA license
2. Equity owner of a firm that received an unmodified report (with or without letter of comments) on its most recent peer review
3. Currently active in public practice at a supervisory level in the accounting or auditing function of a firm enrolled in an approved peer review program
4. Must have at least five (5) years of recent experience in the auditing or accounting function of a firm enrolled in an approved practice-monitoring program
5. Knowledge of applicable professional standards
6. Fully qualified peer review team captain
7. Must have completed a review training course within the last three (3) years
8. Individuals whose ability to practice accounting or auditing has been limited or restricted may be considered if the limitation or restriction has been removed and at least one (1) year has passed since the lifting of the restriction